

Records Show That John Day, Noted Early Day Trapper, Died on Banks of Columbia River in 1819, Not Astoria

(REPRINTED FROM THE OREGON HISTORICAL SOCIETY QUARTERLY)

(Editorial Notes by T. C. Elliott.) John Day was a member of the Wilson Price Hunt or overland party of the Pacific Fur Company (Astoria) which assembled at the mouth of the "Nadaw" (near where the city of Saint Joseph, Mo., now stands) in the fall of 1810, crossed the plains and Rocky mountains during 1811 and arrived at Astoria during the winter and spring of 1812. This itinerary and experiences of those "Earliest Travelers on the Oregon Trail" have been clearly told on pages 227-229 of Vol. 12 of this quarterly. John Day was a "Kentucky hunter" engaged to act as one of the hunters of the party, and is thus described by Washington Irving at page 146 of Vol. 1 of his "Astoria." "John Day, a hunter from the backwoods of Virginia, but who had several years on the Missouri in the service of Mr. Crooks and of other traders. He was about forty years of age, six feet two inches high, straight as an Indian, with an elastic step as if he trod on springs, and a handsome, open, manly countenance. It was his boast that, in his younger days nothing could hurt or daunt him; but he had 'lived too fast' and injured his constitution by excesses. Still he was strong of hand, bold of heart, a prime woodman, and an almost unerring shot."

Early Day Excesses. John Day's early excesses evidently incapacitated him for extreme hardships, for in the final crisis of that journey, in December, 1811, along the banks of Snake River, he gave out and his life was saved only by the fact that Ramsay Crooks remained behind with him at some Indian camp near Weiser, Idaho. The following spring these two made their way across the Blue mountains to the Columbia river, only to be attacked, robbed and left practically naked near the mouth of what has ever since been called the John Day river about thirty miles east of The Dalles. They were found by others of the fur traders and reached Astoria early in May.

John Day was soon assigned to accompany Robert Stuart back across the plains to St. Louis with dispatches for Mr. Astor, and the party set off on the 22nd of June; but during

the night of July 2nd while encamped on or near Wapato Island he suddenly became deranged and the following morning attempted to commit suicide and was sent back to Astoria in the care of some friendly Indians. This is all told by Mr. Irving on pages 111-112 of Vol. 2 of "Astoria," with the final statement that "his constitution was completely broken by the hardships he had undergone and he died within a year."

With this reference John Day's name disappears from the writings of the annalists of the Pacific Fur Company and North-West Company's careers upon the Columbia river, that is until 1824. Tradition only (as far as known to the writer) is responsible for the infrequent statement that he retired from his associates and died in a small hunter's cabin on the banks of the large creek which empties into the Columbia a few miles above Tongue Point which has for years been mapped and known as John Day creek.

But Mr. Irving was either inspired or mistaken, for John Day did not die within a year, although he is not again mentioned until 1824 by any of the fur traders of the Columbia river. When the North-West Company's bargain with the Pacific Fur Company was completed it provided that those of the Astorians who did not then and there join the North-West Company be conveyed back to Montreal, or elsewhere east of the Rocky mountains, and a "brigade" of ten canoes containing nearly eighty men left Astoria on April 4th, 1814, bound for the Athabasca Pass. The names of the party are all listed by Alex Henry in his Journal, and Canoe No. 7 carried as "passengers, Mr. David Stuart and Mr. Joshua Day." Now there is nowhere any mention of such a person as Joshua Day among the gentlemen of either company; and Alex Henry having been at Astoria only since the 15th of November, 1812, probably was not intimate with the names of all the Pacific Fur Company's men; so there is good reason to conclude that Joshua Day and John Day are one and the same person notwithstanding the discrepancy in names, and that our Mr. John Day ascended the Columbia at least as far as one of the other North-West Company trading posts and eventually joined the North-West Company in some form of service. The docu-

probably accounts for the lack of mention of him.

Died in 1819.

Our next record of John Day is contained in the Journal of Alex. Ross, who was in charge of the Hudson's Bay Company trapping party in the Snake country in 1823-24. The entry of May 12th, 1824, reads: "Went up to headwaters of the river. This is the defile where in 1819 died John Day." (Or. Hist. Quar. Vol. 14, p. 14.) The valley which heads in the Salmon river mountains of central Idaho and opens to the lava beds to the north of the Three Buttes. John Wicks, Journal of November 2nd, 1820, reads: "Camped near the head of Day's River" (Or. Hist. Quar. Vol. 13, p. 369). Captain Bonneville was on the same stream in December, 1822, as related by Mr. Irving, and the Arrowsmith maps of 1835-45 designate it as Day's or MacKenzie's river. It has, however, lost the original name and is now mapped as Little Lost river, from the fact that its flow sinks and follows underground channels to the Snake river.

Turning now to the document itself we find that the testator and witness recite its execution Feb. 15th, 1820, "on the dependencies of the River Columbia," and that Donald MacKenzie proves it by swearing that John Day died February 16th, 1820, "on the south side of the River Columbia in the Territory of Oregon." Had it been executed at Fort George or Spokane or Nez Perce the recital would have been different. This document was therefore written and executed in the camp of Donald MacKenzie on one of the mountain streams of Idaho, and may be the first proven will ever executed in Old Oregon—certainly in the State of Idaho.

Donald MacKenzie was a passenger in Canoe No. 1 of the brigade which left Astoria on April 4th, 1814, and carried to Mr. Astor the papers of final settlement with the North-West Company and the draft in payment. He then joined the North Westers again and returned to the Columbia in 1816 to take full charge of the fur trade of the interior or upper river. Alex. Ross, in "Fur Hunters of the Far West," is our authority for his presence in the Snake country in the winter of 1820 in charge of a large trapping party there. Evidently he kept this document in his own possession until about 1823, as an American citizen to present it for probate at Mayville, New York, where he resided from 1823 until 1851, the date of his death.

The suggestion has been made that Washington Irving was inspired when he stated that John Day died within a year. This suggestion may be enlarged upon at some future date when it may be possible to relate the story of Donald MacKenzie's collection of the bequest to his daughter Rachel being the moneys due from John Jacob Astor to John Day for services rendered the Pacific Fur Company. The document follows:

Before God and the subscribing witnesses, I, John Day, the son of Ambrose Day in the County of Culpepper, State of Virginia, being sound in mind but infirm of body, do hereby make and constitute this my lawful Will and Testament, and I appoint Mr. Donald MacKenzie as the sole Executor of the same as follows:

John Day's Will.

First, I hereby give and bequeath to the said Donald MacKenzie two hundred and forty acres of landed property given to me by the Spanish government formerly at St. Louis in Louisiana. The said property of two hundred and forty acres of land is situated about a mile from the banks of the Missouri, on the south side and lying upon the creek Lavudze right hand side of that creek adjoining the lands of Monsr. Cheateau. All papers concerning the said landed property I have placed in the hands of Mr. James McKay, residing about nine miles below the town of St. Louis. I therefore request and desire of the said James McKay, his heirs, administrators or executors, that he or they will give and deliver up or see given or delivered up into the hands of the said Donald MacKenzie or into his order all and every one of the papers, the deeds or rights whatsoever appertaining to or concerning the said two hundred and forty acres of landed property situated as above mentioned.

I further give and bequeath to said Donald MacKenzie all and every my right and pretensions to the Salt Peter lands discovered by me about Boons Licks at the River Missouri.

I also bequeath to him the said Donald MacKenzie my one-third proportion of profits therefrom arising since first I found them, and I request and desire of my worthy friend Mr. Benjamin Cooper and of Mr. John Fairal who have been hitherto partners with me in the proceeds of the said Salt Peter lands, that they deliver up or see delivered up into the hands of the said Donald MacKenzie or into his order all the share of profits belonging to me as arising from the said Salt Peter lands since the commencement of my partnership with them, which I believe took place in the year eighteen hundred and nine.

I give and bequeath to Miss Rachel MacKenzie of Columbia River all and every my ready cash with the lawful interest arising therefrom, and lying in the hands of my former master, Mr. John Jacob Astor, Merchant of New York. I therefore desire the said John Jacob Astor to deliver into the hands of my aforesaid executor or order, all the ready cash with lawful interest belonging to me in his possession.

Signed and sealed this fifteenth day of February on the dependencies

of the River Columbia in the year of our Lord one thousand eight hundred and twenty.

I wish this writing to be considered by all men as my lawful will and testament.

JOHN DAY. L. S.

Witness: WILLIAM RETTSON, James Birnie, State of New York, Chautauque County, ss.

Be it remembered that at a Surrogate's Court held at the Village of Mayville in the County of Chautauque on the twenty-eighth day of October in the year of our Lord one thousand eight hundred and thirty-six, the last Will and Testament of John Day late of the Territory of Oregon in the United States of America, deceased, in copy whereof is hereunto annexed, was admitted to probate after a citation to the next of kin (there being no widow of said deceased) to the said deceased issued, served, returned and filed according to law.

Whereupon at the place and on the day aforesaid the following witnesses after having been duly sworn by the said Surrogate, testified as follows:

to-wit: after proof of legal service of the said citation on the next of kin to the said deceased Donald MacKenzie after having been duly sworn by the said Surrogate, testified as follows that there was a promissory note of the said deceased came into the County of Chautauque since the death of the said deceased, and that John Day the said deceased died on the sixteenth day of February in the year of our Lord one thousand eight hundred and twenty, on the south side of the River Columbia in the Territory of Oregon, in the United States, which was the place of his residence at the time of his death; and this deponent further says that William Rettson and James Birnie the two subscribing witnesses to the last will and Testament of the said John Day deceased, now reside out of the State of New York, according to the belief and knowledge of this deponent, and that he is well acquainted with the hand writing of the said William Rettson and James Birnie, and that the signatures of the said witnesses to the Will are the proper signatures of the said William Rettson and James Birnie who signed their names to the said Will of said deceased, at the request of said deceased, and in the presence of the said deceased, and in the presence of each other, and this deponent further says that he is well acquainted with the handwriting of John Day the said deceased, and that the signature of John Day to the will of said deceased here produced in court is the signature of said deceased, the proper handwriting of John Day the said deceased, and further that at the time the said deceased executed said will he was of sound disposing mind and memory and not under restraint, and the said William Rettson and James Birnie the said witnesses to the said will, took the said will after it was executed and immediately handed the said will to this deponent, and this deponent says that the said will now presented in court is the same will of said deceased without any alteration whatever.

DONALD MACKENZIE

Whereupon I, the said Surrogate, upon the proof aforesaid, being satisfied of the genuineness and validity

of the said will, order that the said will be admitted to probate, and that Letters Testamentary thereon be granted to Donald MacKenzie executor in the said will named, after the expiration of thirty days from the time of taking the proof aforesaid, on his taking and subscribing the oath of office prescribed by law.

In Testimony Whereof, we have caused the seal of office of our Sur-

rogate to be hereunto affixed.

L. S.

Witness William Smith, Surrogate of the County of Chautauque aforesaid, at Mayville in said County on the second day of December in the year of our Lord one thousand eight hundred and thirty-six.

WILLIAM SMITH, Surrogate

of the said will, order that the said will be admitted to probate, and that Letters Testamentary thereon be granted to Donald MacKenzie executor in the said will named, after the expiration of thirty days from the time of taking the proof aforesaid, on his taking and subscribing the oath of office prescribed by law.

In Testimony Whereof, we have caused the seal of office of our Sur-

rogate to be hereunto affixed.

L. S.

Witness William Smith, Surrogate of the County of Chautauque aforesaid, at Mayville in said County on the second day of December in the year of our Lord one thousand eight hundred and thirty-six.

WILLIAM SMITH, Surrogate

Surrogate

Diamond Squeegee Tires

Experienced motorists demand Diamonds in far greater volume than any other non-equipment tire.

Why?

Mileage built into bouncy rubber; tough fabric and heavy, long wearing tread.

The Diamond Rubber Co. Inc.
Factories Akron, Ohio. Distributors Everywhere

Good Faith
Good Service

You are careful in selecting your Doctor

HOW do you choose your Drug Store

SELECT your drug store with the care that you select your doctors. Choose that drug store that puts every transaction between itself and its customers on a SERVICE basis.

Trade at the drug store that pays more attention to making a CUSTOMER than to making a sale.

Trade at the drug store where you can be SURE that you are getting the most and the BEST for your money.

Trade at the drug store where you can "feel at home," where you can feel at liberty to make use of all the resources a REAL drug store PECULIARLY has for your help, convenience and accommodations.

It is this kind of a drug store that we take pride in running. You know a drug store is different from a grocery store, a hardware store or any other kind of a store.

The relation between a druggist and his customers are akin to those between a doctor and his patients. The moment a druggist forgets this FACT he ceases to be a REAL druggist.

We want you to make use of ALL the advantages our service holds out to you. We are ALWAYS ready to refund your money without question or quibble on any purchase you may make here that is no PERFECTLY SATISFACTORY to you in EVERY respect.

Tallman & Co.
Leading Druggists

Sold in Pendleton by Pendleton Rubber & Supply Co.

305 East Court Street

Telephone 135